

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DECISION AND ORDER

GREGORIO CHEVERE,

1:12-CR-306S

Defendant.

1. On February 28, 2013, the Defendant entered into a written plea agreement (Docket No. 23) and pled guilty to Counts Two and Four of the Indictment (Docket No. 9), charging in Count Two, a violation of Title 18 U.S.C. § 471 (counterfeiting of the United States obligations) and in Count 4, charging a violation of Title 21 U.S.C. § 841(a)(1) (possession with intent to distribute and distribution of heroin).

2. On February 28, 2013, the Honorable Leslie G. Foschio, United States Magistrate Judge, filed a Report and Recommendation (Docket No. 25) recommending that Defendant's plea of guilty be accepted and the Defendant adjudicated guilty.

3. This Court has not received objections to the Report and Recommendation in accordance with 28 U.S.C. §636(b)(1) and Local Rule 59(b).

4. This Court has carefully reviewed *de novo* Judge Foschio's February 28, 2013, Report and Recommendation, the plea agreement, the Indictment and the applicable law. Upon due consideration, this Court finds no legal or factual error in Judge Foschio's Report and Recommendation, and will accept Judge Foschio's recommendation that Defendant's plea of guilty be accepted and that the Defendant be adjudicated guilty as charged.

IT HEREBY IS ORDERED, that this Court accepts Judge Foschio's February 28, 2013, Report and Recommendation (Docket No. 25) in its entirety, including the authorities cited and the reasons given therein.

FURTHER, that the plea of guilty of Defendant Gregorio Chevere is accepted, and he is now adjudged guilty of Title 18 U.S.C. § 471 and Title 21 U.S.C. § 841(a)(1).

SO ORDERED.

Dated: March 25, 2013
Buffalo, New York

s/William M. Skretny
WILLIAM M. SKRETNY
Chief Judge
United States District Court